

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Terrence Montgomery,

Plaintiff,

v.

Granite Bay Acceptance, et al.,

Defendants.

Case No. 13-cv-2798 (MJD/JJK)

**Capital One's Unopposed
Motion for Extension of Time to
Respond to Complaint**

Defendant Capital One Bank (USA), N.A. respectfully moves this Court for an order granting it additional time, until and including November 15, 2013, to answer or otherwise defend in this lawsuit. In support of this Motion, Capital One states as follows:

1. Plaintiff filed this action, alleging claims against a number of defendants, on breach of the prior settlement, on October 1, 2013. (Dkt. 1.)
2. According to Capital One's records and receipt of the complaint, its response to Mr. Montgomery's complaint in this action is due on November 12, 2013.¹
3. Capital One continues to research the allegations in the complaint and requires a brief extension of time to respond so as to complete that investigation.
4. Undersigned counsel contacted Mr. Montgomery on October 31, 2013, and Mr. Montgomery agreed via email that Capital One may have until and including

¹ Mr. Montgomery believes Capital One's response to the complaint is due November 9, 2013. Because he does not oppose the relief granted in this motion, this discrepancy is irrelevant.

November 15, 2013, to answer or otherwise defend in this lawsuit, and the Court may enter the Order submitted with this Motion without further notice or a hearing.

Dated: November 1, 2013

s/ Erin L. Hoffman

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